

A Guide to TEFAP for Outlets

*Program responsibilities and standards for Wisconsin food pantries,
meal sites and shelters participating
in The Emergency Food Assistance Program*

2004

**Prepared by
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Wisconsin Community Action Program Association (WISCAP)**

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TEFAP ADMINISTRATION

What is TEFAP? The Emergency Food Assistance Program (TEFAP) is a Federal program that helps supplement the diets of low-income households by providing them with nutritious food at no cost through participating food pantries, meal sites and shelters nationwide. In 2003, Wisconsin TEFAP distributed over 9 million pounds of commodities to emergency food providers in all 72 counties. Food pantries supplemented this with over 13 million pounds of privately donated and purchased food. Nearly 42,000 households received monthly food packages containing commodities and private food from local food pantries. Each month local meal sites and shelters served nearly 148,000 meals that were prepared in part with commodities.

How did TEFAP begin? TEFAP was first authorized as the Temporary Emergency Food Assistance Program in 1981 to help reduce Federal food inventories and storage costs and provide nutrition assistance to low-income families. It was changed to The Emergency Food Assistance Program in the 1990 Farm Bill.

How is TEFAP administered at the state-level? The U.S. Department of Agriculture (USDA) provides food to the Division of Public Health (DPH) within the Department of Health and Family Services (DHFS) which has primary responsibility for administering TEFAP in Wisconsin. DHFS contracts with the Wisconsin Community Action Program Association (WISCAP) to manage statewide food ordering and monitoring of outlets. DHFS also contracts with the Department of Public Instruction (DPI) to deliver commodities to county drop-off sites with the same trucks that deliver USDA commodities to schools.

How is TEFAP administered locally? DHFS contracts with 16 regional organizations referred to as Emergency Feeding Organizations (EFOs) to coordinate local distribution to 216 food pantries, 32 meal sites and 28 shelters that directly serve the public. These 16 EFOs have primary responsibility for the distribution of TEFAP in their regions, which range from 1 to 12 counties. (Visit DHFS' webpage <http://www.dhfs.wisconsin.gov/programs/nutrition.htm> for a current listing of regional EFOs). Their main tasks are to train and monitor existing outlets, identify new outlets, order food, coordinate monthly delivery and pick-up, collect and report data, maintain records, coordinate food drives and food recovery projects, conduct fund-raising, prepare grants for food or equipment, and coordinate volunteers. Some EFOs directly operate their own outlets, while others provide support to outlets operated by churches or other community organizations.

Are all TEFAP commodities surplus food? When TEFAP first began distributing food to the states; all the food to states was surplus – that is, it was food purchased by the USDA to help stabilize the price of selected U.S. farm products. However, by 1988 stocks of most food held in surplus had been depleted so Congress authorized funds for the purchase of non-surplus commodities for distribution to emergency food providers. Today, TEFAP includes non-surplus products – referred to as “Entitlement” food, as well as surplus commodities – known as “Bonus” food. USDA commodities may include meats, vegetables, fruits, juices, beans, cereals, grains and nuts. The amount of commodities the USDA offers to individual states depends on how many unemployed persons and low-income persons live there.

- *Entitlement food.* Each year the USDA allocates entitlement funds to each state for the purchase of individual commodities. Every quarter the USDA releases a menu of about 60 available entitlement food items that states can order. WISCAP surveys the 16 regional EFOs quarterly for their recommendations on which specific entitlement foods to order, the quantities and shipment dates.
- *Bonus Food.* The USDA's Agricultural Marketing Service (AMS) regularly purchases surplus domestic agricultural products as part of its price stabilization program. Wisconsin TEFAP receives a portion of these "Bonus" products for distribution to emergency food providers. Unlike Entitlement food, states have very limited influence on the type, quantity, and delivery dates of Bonus foods that AMS purchases.

OUTLET ELIGIBILITY

What are the basic criteria for outlets to receive commodities in Wisconsin? Food pantries, meal sites and shelters that distribute commodities to low-income families must meet the following criteria.

- *Hours of operation.* The Division of Public Health requires that each TEFAP outlet will be open at least one regularly scheduled day per week to ensure households have reasonable access to food. Regional EFOs will work with TEFAP outlets that are unable to meet this goal to explore whether there are manageable ways to expand hours.
- *Minimum level of non-USDA food.* The goal of the Division of Public Health (DPH) is that at least 50% of all food distributed by a TEFAP outlet will be privately donated or purchased food when measured over the course of a year. Regional EFOs will work with TEFAP outlets that do not meet this goal to explore strategies to expand the amount of private food they distribute. The reason for the 50% goal is that TEFAP is intended to supplement the privately donated and purchased food already distributed by emergency food providers rather than serve as a primary source of food. Using TEFAP as a supplement reduces the impact on outlets and families when the volume of commodities inevitably fluctuates. This improves the nutritional quality of food packages, increases the variety and amount of food distributed and reduces the impact on outlets and families when the volume of TEFAP commodities fluctuates.
- *Emergency Access.* Outlets must post emergency instructions for obtaining access to food when the outlet is not open. This could include instructions for contacting the pantry coordinator or a community referral agency (i.e., First Call for Help, 211, social services, law enforcement, etc.).
- *Non-profit status.* Outlets must be government agencies or 501(c)(3) not-for-profit organizations.
- *Two years of operation.* DPH prefers outlets be in operation at least two years prior to distributing commodities, but may make exceptions for new outlets in underserved areas.

- *Defined service area.* Outlets must have a geographically defined service area, such as a school district, county, zip code, or neighborhood. Service areas help ensure that as many low-income families as possible in each county have access to emergency food without duplicating services.
- *Adequate facility, equipment & storage capacity.* Outlets should have at least one freezer, one refrigerator, good quality shelving, and an adequate, well-maintained facility, storage area and equipment. (See Food Storage, page 10).
- *Maximize Access to Disabled.* Outlets must comply with the Americans with Disabilities Act that requires removal of architectural or structural barriers if this can be easily accomplished without great difficulty or expense.
- *Ability to meet program requirements.* Outlets must be able to process client eligibility for TEFAP, provide services and maintain records in accordance with program standards.
- *Letters of Assurance.* Must comply with the most recently published Department of Health and Family Services' Affirmative Action, Equal Opportunity, Civil Rights and Limited English Proficiency Plan Requirement. Have a Plan or Letter of Assurance approved and in file with the Office of Affirmative Action and Civil Rights Compliance Office for the current funding period.

What if “privately donated and purchased food” amounts to less than half of all the food we distribute? If your outlet is unable to obtain enough privately donated or purchased food to meet the 50% minimum goal despite significant efforts, DPH may approve participation in TEFAP as long as the outlet earnestly works with the regional EFO to increase the amount of privately donated and purchased food distributed.

How do EFOs decide whether or not to approve a new outlet for TEFAP? Regional EFOs always welcome inquiries from new or existing pantries, meal sites and shelters that want to know more about TEFAP. EFOs base their decisions to approve new outlets in part on the outlet's ability to meet the above criteria. However the EFO may also look at such things as whether commodities are already available in the area, where outlet are located, local need, how many eligible people the outlet would serve, whether the outlet will improve access to food or serve more clients, what services the outlet offers, or whether there are sufficient commodities to support new sites.

CLIENT ELIGIBILITY

Who is eligible to receive TEFAP from food pantries? Clients must meet basic income and residency requirements.

- *Income limits.* Income eligibility is determined by self-declaration. To receive commodities in Wisconsin clients must have monthly income below 185% of the federal poverty level for their household size. (Current household income limits are available on the Internet at <http://www.wisconsin.gov/health/nutrition/hunger/eligibility/htm>). A household can be a single person or a group of persons (related or not) who live as one economic group and customarily purchase and prepare food together. Assets are NOT counted. Clients must sign

the DPH 40059 form each time they receive food to confirm they meet income limits and agree not to re-sell exchange or otherwise profit from the food. Client signatures on the DPH 40059 form also make them legally liable for the accuracy of their declarations – not outlet workers. Pantry workers may read the DPH 40059 form to any client who is unable to read. (See below for eligibility for migrant, non-English speaking, and self-employed persons).

- **Residency.** Recipients of commodities must be Wisconsin residents and should reside in the pantry's service area, although there is no minimum length of stay. Pantries should not deny services to those who lack evidence of residency, such as new residents, homeless persons or migrants. Pantry staff can ask to view recent bills showing an address, or a driver's license or a state ID card to prove residency. Homeless persons may use the local Social Services office for their address. Once residency is established, pantries do NOT need to re-verify at each visit, but should ask whether any information has changed since the last visit.
- **Identification.** Pantry staff and volunteers should always request ID from clients unless they personally know who they are. You may ask for some proof of dependents. Pantries however cannot require clients to give social security numbers as ID. If a pantry requests a social security number compliance must be voluntary. Clients who will not give a social security number cannot be denied food assistance.

Who is eligible to receive meals from meal sites and shelters? The USDA automatically assumes that all people are income eligible if they seek meals at meal sites, homeless shelters and domestic violence shelters that serve predominately needy people. People who come to meal sites and shelters do not need to declare household income, document residency or provide identification to receive meals. Citizenship status is irrelevant.

Can TEFAP pantries impose other eligibility criteria? Food pantries that distribute commodities agree to only use household income and residency as the basis for determining eligibility for all food they distribute. Civil Rights Laws prohibits discrimination in the delivery of services on the basis of race, color, age, national origin, sex, age, or disability. The only time it is reasonable to decline food assistance to a person who is otherwise eligible is if the client resides outside the pantry's service area, or if the client acts in a belligerent or threatening fashion, appears to be intoxicated or using illegal drugs. Persons exhibiting irresponsible behavior may be invited to return when they can be cooperative.

Are migrant families eligible for TEFAP at food pantries? Yes, migrant families that meet TEFAP income limits are eligible. Because migrant earnings fluctuate widely throughout the year migrant households may use either monthly or annual gross income to meet income limits. For this reason, the Spanish version of the DPH 40059 form shows both monthly and annual income limits. Pantries should keep a current Spanish version of the DPH 40059 form on hand.

Can farmers or other self-employed persons use NET income (income after paying business expenses) to qualify for TEFAP at food pantries instead of GROSS income? The USDA requires states to determine financial eligibility for commodities using only GROSS income. DPH encourages pantries to provide non-USDA food items to needy households whose income is above the TEFAP income limits.

How do food pantries serve non-English speaking people who request food assistance?

Outlets are required to develop methods for ensuring meaningful and accurate communication to Limited English Proficiency (LEP) groups in the Outlets service delivery area. In order to ensure meaningful access to LEP populations, the Department's newly revised Affirmative Action, Equal Opportunity, Civil Rights, and Limited English Proficiency Compliance Plan requirements provide the necessary guidance for instituting Outlet policies and procedures. The most recent published version of the Affirmative Action and Civil Rights Compliance Plan instructions and format can be found on the Internet at <http://www.dhfs.state.wi.us/civilrights/Index.htm>. Citizenship status is not relevant when determining eligibility for TEFAP. Pantries should not ask about citizenship status during the TEFAP intake process.

How can food pantries serve home-bound clients and determine eligibility? There are several ways food pantries can serve low-income people who are homebound due to illness, age or disability or who simply cannot come to the pantry during regular hours because of work.

- All pantries must allow authorized persons (proxies) to pick up food for clients if they present a valid proxy note. The note, signed by the client, designates another person as the client's proxy and states the client meets TEFAP income limits. The proxy must show identification and sign the DPH 40059 form attesting to the receipt of food on the client's behalf. The proxy note should be filed with the DPH 40059 form.
- For outlets that make home deliveries, the client simply signs the eligibility form.

Can outlet staff and volunteers receive commodities? Pantry staff and volunteers may receive commodities if they meet TEFAP income and residency requirements. They must complete the TEFAP eligibility form just like any other participant. They cannot receive preferential treatment or larger food packages than others. Staff and volunteers at meal sites and shelters may receive meals prepared with commodities if it is the outlet's practice to serve meals to workers and the site serves predominately low-income people.

What if a client lives outside a pantry's service area? If a client lives in Wisconsin, but outside your pantry's service area you may serve them, but should encourage them to utilize a food pantry (TEFAP or non TEFAP) serving the area where they live. If they return the following month, you may decline to serve them at your discretion. Clients from outside your service area may sometimes ask to receive only commodities because their regular pantry doesn't have them. TEFAP pantries should not do this because it encourages clients to disregard pantry service boundaries and commodities are intended to be integrated with private food packages. Although TEFAP is widely available in Wisconsin, DPH cannot guarantee commodities will be available in every community.

What if you suspect a pantry client is misrepresenting their income or residency? If you have sound reasons to suspect someone is deliberately misrepresenting their income or otherwise providing false information to take advantage of the program, you may request proof or refer the issue to your regional EFO for their help. However, income eligibility is intended to be self-declared, and requiring proof must be reserved only for instances when there are solid grounds – not just suspicions - for doubting a client's truthfulness.

CLIENT CONFIDENTIALITY

How do outlets maintain client confidentiality? Eligibility certifications ask for private information about an individual. Take care to respect participants' privacy and make sure that eligibility certification forms are treated as confidential documents. This means they are not to be viewed by anyone other than a staff member or volunteer directly responsible for administering or distributing TEFAP commodities.

TEFAP staff and volunteers should take measures that ensure the certifications are not available for viewing by anyone other than TEFAP staff and volunteers.

What is the procedure for storage of eligibility certifications?

1. Participants' files must be maintained in locked files and /or in rooms that can be locked and are secure from unauthorized entry.
2. When files are used during pantry visits, they must be handled in ways to maintain participant confidentiality; e.g., so that participants cannot read another person's file, nor may the files be left unlocked or unattended.
3. Files must not be taken home or to other places except as required for travel to commodity distribution sites. During such travel, file should be transported in such a way to maintain confidentiality and will be in the possession of pantry staff at all times.

BACKGROUND

“TEFAP client confidentiality is acknowledged and maintained at all times. The Department of Health and Family Services [and its contractees and sub-contracts] ...shall respect rights for recipients of public assistance. The rights shall include all rights guaranteed by the U.S. constitution and the constitution of this state, and in addition shall include the right to confidentiality of agency records and files on the recipient. Nothing in this subsection shall prohibit the use of such records for auditing or accounting purposes or, to the extent permitted under federal law, for the purposes of locating persons, or the assets of persons, who have failed to file tax returns, who have underreported their taxable income or who are delinquent taxpayers, identifying fraudulent tax returns or providing information for tax-related prosecutions.”

Citation: State Statute 49.81and 49.82, Public assistance recipients' bill of rights.

SERVICES TO CLIENTS

Are there guidelines for how clients should be treated? DHFS' standards require pantry staff treat clients politely and without condescension. Many clients don't find it easy to be in a situation where they must ask for food assistance and the manner in which pantry workers treat them can help make the experience easier. Client sensitivity should be part of any orientation for new volunteers and outlets should periodically review the principles with existing workers. Occasionally it may be necessary to reassign volunteers to duties without client contact if they are unable to meet these standards.

Are private interviews required? Interviews afford an ideal time to learn more about a client's circumstances and needs, and to give referral information. Some pantries have sufficient space to interview clients in private rooms, while others do not. In either case, all pantries must have sufficient space between waiting areas and interview areas so clients can provide personal information to workers without being overheard by others. Client information IS confidential and workers must treat it as privileged. Client circumstances must not be shared with other pantry staff unless necessary and never with unauthorized persons.

Are there guidelines for preparing food packages? Yes. Food packages should be as nutritionally balanced as possible and should ideally contain a 3-5 day supply that is adjusted for the size of the household. The actual amount and type of food in each package will of course depend on exactly what and how much food is in storage. Pantries should ask whether clients have dietary restrictions and whenever possible provide foods that meet the cultural, dietary, and religious needs of the household.

What is a "nutritionally balanced" food package? A nutritionally balanced food package contains a meat or protein, fruit and/or fruit juice, vegetables, and grain (bread, rice, cereal or pasta). The USDA's food guide pyramid is available on the Internet at <http://www.usda.gov/cnpp/pyramid.html> and includes an explanation of the basic food groups and how much of each group constitute a healthy diet.

Can pantries decide whether to give fixed food packages or let clients choose the food? It's up to the pantry to decide what works best for them. Some food pantries prepare fixed packages ahead of time so distribution goes quickly, but there tends to be more waste with this method. An increasing number of pantries have become "Client Choice" - allowing families to choose the food they want within limits set for each household size. "Client Choice" pantries usually find that there is less waste because clients take only the food they can use. These pantries may give clients a menu of available food (by category) which the client marks with their choices. A pantry worker then fills the order. Some pantries with sufficient aisle space allow clients to walk through with a volunteer and a cart to select food. DPH encourages your pantry to experiment with client choice to learn first hand if that option can work for both you and the families you serve.

When our pantry prepares food packages do we mix commodities with private food or bag them separately? You may do it however you want. But unless you are serving lots of clients

whose income exceeds TEFAP income limits (see below), there's no reason to stock or bag commodities separately from private food. There is also no requirement that individuals receive a certain percentage of commodities or private food in a particular food package. The important thing to consider is to provide food packages that are nutritionally balanced and contain a variety of foods.

How often can clients be served? TEFAP pantries must serve income eligible clients at least once a month. However pantries may serve clients more often than that if they choose. Regardless of how often in a month you serve clients, all food packages you distribute may contain TEFAP commodities. This does not concern meal sites and shelters which usually serve all clients multiple times in a month.

If a household has an exceptional need for food, can we give them more than our standard package? Yes, you can give them a larger quantity of food than your standard package or you can invite them to return again later in the month. Food pantries that provide extra food in the same month to families in crisis should have some criteria for deciding if a household's financial situation warrants extra food. All households should be made aware of the policy and pantries should be careful to apply it in a fair and a non-discriminating manner.

What if a household needs food assistance but their income is too high for TEFAP? Your food pantry may serve households whose income is higher than 185% of poverty – but you cannot include TEFAP commodity items in the food package. Although there are many good reasons why a higher income family may require food assistance, federal law requires states to set a GROSS income limit for receipt of commodities. This standard does not apply to persons who visit meal sites and shelters because the USDA assumes that anyone seeking a meal at these locations is automatically income eligible.

OUTREACH & REFERRAL

Are outlets required to publicize their services? All outlets must post an exterior sign noting the days and hours of operation, the main phone number, and where to call after hours in an emergency in both English, and in languages of the LEP groups in the Outlet's service area; and in alternative formats for the visually impaired. The hearing impaired should be given information by a signage interpreter. Outlets should also make reasonable efforts to inform low-income people in the community of their services, hours, and eligibility criteria. Examples of outreach include articles in organizational newsletters and newspapers, public service announcements in the media, contacting community agencies that make referrals like social services, school counselors, churches, police, and other low-income serving organizations, placing posters in stores, Laundromats, and libraries, etc. Outreach to potential clients is especially important when an outlet has a large service area or serves people in more than one community.

Why is client referral so important? Households seeking food assistance are frequently eligible for other assistance programs that may provide much needed resources and reduce the need for emergency food. This includes nutrition programs (food stamps, WIC, school meals, elderly meal sites, meals-on-wheels, SHARE), as well as non-nutrition programs like health care, energy assistance, W-2 cash assistance and child care, child support, disability assistance, and tax credits. Participation in non-nutrition programs can improve household food security by reducing other expenses and leaving more money in the household budget to purchase food at grocery stores.

DPH encourages all TEFAP outlets to schedule brief private interviews with all new clients and to visit with existing clients at least once a year to learn about their needs and to provide referral information. Outlets with limited time or staff can provide clients with written resource materials or distribute them in with food packages on a regular basis. When pantry workers encourage clients to apply for programs it helps them to overcome stigma and reluctance. Over time it may help reduce pantry demand. Pantries may also want to consider inviting staff from key programs to visit your site to talk with clients or conduct eligibility interviews.

Where can I get eligibility information on federal assistance programs? You can always contact you local Health and Human Services office or Community Action Agency. In addition there are several excellent resources on the internet:

- ACCESS is a new Department of Health and Family Services website where low income people can find out in less than 15 minutes if they may be eligible for important federal health and nutrition programs. Visitors to the site simply type in basic information about the people in their household, their income and expenses, and ACCESS determines if they might qualify for food stamps, WIC, medical assistance, BadgerCare, SeniorCare (help buying prescription medicines for seniors) and other programs. People still need to apply, but ACCESS tells them how to do it – and they'll know in advance that they're likely eligible. By the fall of 2005 site visitors will be able to submit actual applications for many programs on-line. If your pantry, meal site or shelter has internet access you may want to assist clients to use the site or provide a computer terminal where they can use ACCESS themselves. The address is: <http://www.access.wisconsin.gov>
- *Wisconsin Connections* is a useful guide containing 20 one-page summaries of key assistance programs that many clients are eligible for. Pantries, meal sites and shelters can give clients information on one or more programs or the entire packet. It is also useful for educating staff and volunteers. The Guide was prepared by the Wisconsin Community Action Program Association (WISCAP) and UW Extension and is updated annually. You can download single programs or the entire packet at <http://www.uwex.edu/ces/connections>. You can also download a one-page telephone reference sheet for each county listing where to call for each program.

DELIVERY TO OUTLETS

How often do outlets receive commodities? Food is delivered once a month except in July when DPI conducts an inventory of its warehouses in Eau Claire and Madison.

How do EFOs determine the amount of food an outlet receives? Each county is offered a percentage of the commodities available to the entire state based on the number of low-income people and the number of unemployed people who live there. Regional EFOs will usually give food to outlets based on the number of people served monthly or similar criteria. EFOs also may adjust the amount of food for an outlet based on the outlet's inventory, local demand, availability of private food, and storage capacity.

How do outlets physically receive delivery of commodities? The USDA delivers TEFAP food directly to two Central Storage warehouses - in Madison and Eau Claire –which are under contract with the Department of Public Instruction (DPI). From there trucking companies hired by Central Storage make monthly deliveries to individual counties. In counties with only one TEFAP outlet commodities are usually delivered directly to the outlet. In counties with multiple TEFAP outlets commodities are usually delivered to a central drop off location – like a food bank, warehouse or large pantry. From there the regional EFO will either deliver it to individual outlets or outlets will pick it up. It is the responsibility of staff and volunteers at the receiving site to unload and store the food.

What if food is damaged, “out of condition”, or the quantity is wrong at the time of receipt? USDA commodities are very high quality and rarely in poor condition. However, when outlets take receipt of commodities they should always verify the kind, quantity and condition of the food using the DPH 40060A form. “Out-of-condition” products are those that come from the processor contaminated, deteriorated, spoiled, infested or with packaging defects. Cans that are leaking, bulging, have sharp dents, or have rust on the seams are also considered out-of-condition. Any discrepancies (shortage, overage, damage or out-of-condition) must be noted on the PI-1412 form and signed by both the driver and outlet representative. Damaged or out-of-condition food must be accepted from the trucker, but should be reported immediately to your regional EFO.

FOOD STORAGE AND SAFETY

What are the basic storage requirements for TEFAP food? All TEFAP outlets must...

- Store food on racks or pallets that keep it at least 6 inches off the floor, 4 inches from the wall and 2 feet from the ceiling.
- Keep rooms and shelving clean, well-maintained, and free of toxic items (like cleaning supplies, paint, or hazardous chemicals) that could contaminate food.

- Keep storage areas free of pests - like rodents and insects. Outlets must either contract with a professional pest control company or regularly inspect storage areas themselves, taking all necessary steps to prevent and safely control any infestations that might occur.
- Insulate any heat generating pipes or ducts.
- Ensure the food storage area is secure to prevent access by unauthorized persons.
- Maintain food within optimal storage conditions, including monitoring and logging temperatures of freezers, refrigerators and dry storage.

What temperatures are required to safely store food? “Frozen” food must be stored at or below zero degrees Fahrenheit. “Refrigerated” food must be maintained between 35 and 40 degrees Fahrenheit. Food requiring “dry” storage must be kept between 40 and 70 degrees Fahrenheit. Maintaining food within these temperatures prevents spoilage and the growth of bacteria and helps food retain its optimal flavor, quality, color, and texture. At higher temperatures some products can deteriorate or spoil. For instance, the yeast in Bakery Mix packages can activate above 70 degrees Fahrenheit, causing packages to swell or break.

What if the storage area gets warmer than 70 degrees in the summer? You may need to increase ventilation, install air conditioning, or add fans. If your refrigerators and/or freezers are in the same room as dry storage, they may be contributing to the problem due to the large amount of heat they give off. If possible, keep refrigerators and freezers in a different room than dry storage, and make sure heat generating pipes and ducts are fully insulated.

What is FIFO? Your inventory should be managed so that food received first is the first to be distributed. This is referred to in warehouse management as FIFO – First In, First Out. The best way to ensure this happens is to mark cases when they arrive with the month & year of receipt. It also helps to rotate the oldest stock to the front where it will be used first and place recently received food above, below or to the back.

How long may commodities be kept in storage? Commodities should not be kept in storage longer than six months from the date of receipt to ensure food retains its optimal quality, freshness, flavor, color and texture. Outlet coordinators should manage their inventory carefully so that food does not remain in storage too long. Clearly marking cases with the month and year of receipt will help you to ensure food is distributed in a timely manner. If you find your inventory becoming too large, ask your regional EFO to reduce the volume of your monthly deliveries.

What if products pass their expiration date? Cases of USDA commodities may contain an expiration date. If a product passes its expiration date you should contact your regional EFO for guidance. All outlets should also carefully inspect non-USDA donated food products to make sure they are not outdated. The primary concern with expired or outdated food products is not necessarily with food safety, but rather concern that food may lose optimal flavor, color, texture or nutrition. There should never be expired items if the pantry coordinator is conscientious about labeling incoming cases with the month and date of receipt and carefully monitors the inventory.

Can I re-freeze thawed food if a freezer malfunctions? It depends on the type of food, and how long it has thawed. If in doubt, err on the side of safety. A decision table with guidance on whether or not to re-freeze specific foods is available on-line from Purdue University at <http://www.cfs.purdue.edu/safefood/foodsafety/perishabletable.html>.

What if stored food becomes damaged, spoiled, or stolen while in our possession? It's important not to distribute food that is in cans that are severely dented, has torn packaging, is damaged by water or insects, is out-of-condition, or has thawed and cannot safely be refrozen. If food is lost due to damage, infestation, spoilage or theft while in your possession, you should promptly report it to your regional EFO. If no one is available then contact Robin Soileau at 608-267-9071 or WISCAP at 608-244-0742. Do not dispose of damaged or spoiled food until your EFO tells you to, unless there is concern for safety. If the loss is more than \$100 and is the result of negligence the EFO could be responsible for its replacement value. Losses can be kept to a minimum by regularly checking storage temperatures, establishing good building security, routinely inspecting for spoilage, controlling for rodents and insects, and maintaining a cool, clean, and dry storage area.

Where can I find more information on each commodity? The USDA's website at <http://www.fns.usda.gov/fdd/facts/hhpfacts/hptefap.htm> has fact sheets on TEFAP products, including package size, storage requirements, preparation, recipes, and nutritional content.

Where can I find additional information on food safety? Purdue University has comprehensive Internet materials on food safety at <http://www.cfs.purdue.edu/safefood/foodsafety.html>.

RECORD KEEPING

What records must TEFAP outlets maintain? Federal and state rules require outlets to keep certain basic records to document client eligibility and the receipt, storage and inventory of food. The following records must be kept for three years at either the outlet or the regional EFO.

- *DPH 40059 Forms.* Signed forms (Eligibility Certification for TEFAP Commodities) documenting client eligibility and receipt of commodities from pantries.
- *Service Statistics.* Pantries must maintain a count of the number of adults, children, and households they serve each month. Meal sites and shelters must record the number of meals served monthly. Your regional EFO collects these figures each month.
- *Non-USDA food.* Pantries must track the pounds of non-USDA food they collect each month. They may report an exact weight if they weigh the food they collect and distribute or they may provide an estimate using a reasonable method. For instance, you might weigh ten food bags or boxes packed with private food to get an average weight per package. Then multiply the number of bags or boxes of private food you give out by the weight per container. Your regional EFO collects these figures each month.
- *Temperature, cleaning, inspection logs.* Outlets must log at least weekly the temperature of each freezer and refrigerator and the dry storage area to document that optimal conditions are maintained. Outlets also must record the dates they clean the premises and the dates they make visual inspections for spoiled food and pests. Some outlets keep temperature, cleaning and inspection logs on a single sheet. Others post temperature logs on each unit inspected for ease of recording. Regional EFOs inspect these logs whenever they conduct site reviews of outlets.
- *Outlet reviews.* Outlets should keep a copy of any on-site reviews conducted by the regional EFO, including recommendations.
- *Monthly inventory reporting (optional).* If your EFO requires outlets to provide a case count of commodities remaining at the end of each month to better monitor local inventories.
 - a. Use the DPH 40060A form if the regional EFO requires you to report only the total number of unopened cases of TEFAP product in storage at the end of the month.
 - b. Use the DPH 40060 form if the regional EFO requires you to report the total number of unopened cases of each individual TEFAP product in storage at the end of the month.

Where can I get copies of TEFAP forms? Check with your regional EFO or they are available on the Internet at: www.dhfs.wisconsin.gov/forms.

You will need to scroll down to forms beginning with the letter "T" and locate the form you need. The TEFAP forms have been updated to reflect changes in the Division where the TEFAP position is and the new numbers that have been assigned to the forms. The new form numbers are:

DPH 40059 The Emergency Food Assistance Program Eligibility Certification, word fillable

DPH 40059H The Emergency Food Assistance Program Eligibility Certification (Hmong), word fillable

DPH 40059R The Emergency Food Assistance Program Eligibility Certification (Russian), word fillable

DPH 40059S The Emergency Food Assistance Program Eligibility Certification (Spanish Monthly), word fillable

DPH 40059SA The Emergency Food Assistance Program Eligibility Certification (Spanish Annual), word fillable

DPH 40061 The Emergency Food Assistance Program Commodities Inventory, word fillable

DPH 40062 TEFAP & CSFP Commodity Loss Report, word fillable

DPH 40063 TEFAP & CSFP Commodity Complaint, word fillable

DPH 40064 Transfer of The Emergency Food Assistance Program Commodities between EFOs, word fillable

PROHIBITED ACTIVITIES

Can outlets give clients political or religious materials during food distributions? No. TEFAP outlets may not engage in political or religious activities when distributing food. Political candidates may not make appearances at these times and campaign signs and materials may not be evident. Bags or boxes advertising candidates or political causes may not be used for food packages containing commodities. Outlets may not require or pressure clients to attend political or religious meetings or to join an organization as a condition of receiving assistance.

Can TEFAP outlets ask clients for donations? Outlets that receive federal commodities may not ask clients to donate money, materials or services in exchange for food. Outlets may not post signs requesting “voluntary” donations nor place donation containers in the area where clients are served.

Can TEFAP outlets choose to serve some people but not others? Federal and state laws prohibit discrimination on the basis of race, color, national origin, sex, age, religion, political beliefs or affiliation, disability, or association with a person with a disability or if the person is a Limited English Proficient applicant. State law prohibits discrimination on the basis of employment status. All outlets must post the sign “AND JUSTICE FOR ALL” where it can be seen by all clients. Please contact your regional EFO for additional copies. As already noted, it is reasonable to decline services to an otherwise eligible client if they behave in a belligerent or threatening fashion or appear to be intoxicated or using illegal drugs. Pantries also may decline to serve clients who live outside their service area.

Can outlets or clients sell commodities? Commodities are intended solely for private consumption by eligible recipients. The sale, trade, exchange or other disposal of commodities or use of commodities for personal gain is strictly prohibited and subject to federal and/or state prosecution.

Can outlets repackaging commodities? TEFAP commodities must be distributed only in their original packaging to ensure food safety. Repackaging is prohibited without the express written authorization of either DPH or USDA. Due to the time and expense required to meet stringent USDA food safety requirements, repackaging is rarely warranted.

Can outlets give or trade commodities among themselves? A TEFAP outlet may only transfer commodities to another TEFAP outlet with the approval of the regional EFO. A TEFAP outlet may never transfer or trade commodities with another outlet that has not been approved to distribute TEFAP.

FEDERAL AND STATE CIVIL RIGHTS COMPLIANCE

Are TEFAP Outlets required to comply with Federal and State Civil Rights Compliance Requirements? All regional EFOs and TEFAP Outlets receiving federal financial assistance must comply with the most recently published Department of Workforce Development and Department of Health and Family Services Civil Rights Compliance Plan Requirements for Profit and Non-Profit Entities. The Civil Rights Compliance Plan Requirements include Affirmative Action, Equal Opportunity and Limited English Proficiency.

How is public notification of the program made available to minority and grassroots organizations?

- **Affirmative Action**

EFOs and TEFAP Outlets that have 25 employees and receive \$25,000 or more, shall complete the Affirmative Action, Equal Opportunity, Civil Rights Compliance and Language Access section of the Plan for a period of Three years. EFO's and TEFAP Outlets with annual work force of less than 25 employees or less than \$25,000 in grants or contracts may be exempted from submitting the Affirmative Action section of the Plan, in accordance with the most recently published Affirmative Action and Civil Rights Compliance Plan Requirements for the current funding period. The most recently published Affirmative Action and Civil Rights Compliance Plan Requirements may be accessed at the following web site: <http://www.dhfs.state.wi.us/civilrights/Index.HTM>

- **Civil Rights Compliance Plan**

EFO or TEFAP Outlets with an annual work force of 25 employees or more and \$25,000 or more in funding must complete and submit a complete Affirmative Action and Civil Rights Compliance Plan. EFOs and TEFAP Outlets with less than 25 employees and/or who receive less than \$25,000 in grants or funds, may submit a Letter of Assurance in accordance to the most recently Published Affirmative Action and Civil Rights Compliance Plan Requirements for the current funding period. The most recently published Affirmative Action and Civil Rights Compliance Plan Requirements may be accessed at the following web site: <http://www.dhfs.state.wi.us/civilrights/Index.HTM>